

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RICHARD TERRY LARSON,)	No. C 12-3773 LHK (PR)
)	
Plaintiff,)	ORDER GRANTING EXTENSION
)	OF TIME TO FILE OPPOSITION;
v.)	DENYING MOTION FOR
)	APPOINTMENT OF COUNSEL
)	
M. CATE, et al.,)	
)	
Defendants.)	
_____)	(Docket Nos. 44 & 45)

Plaintiff, a California state prisoner proceeding *pro se*, filed a civil rights action under 42 U.S.C. § 1983. On July 18, 2013, defendants filed a motion for summary judgment. Plaintiff has filed a motion for appointment of counsel and a motion for an extension of time to file an opposition to defendants' motion for summary judgment. (Docket Nos. 44 & 45.) Defendants have filed an opposition to plaintiff's motion for appointment of counsel and a notice of non-opposition to plaintiff's motion for an extension of time to file an opposition. (Docket No. 47.)

Having read and considered the pleadings, plaintiff's motion for appointment of counsel is **DENIED** for want of exceptional circumstances. *See Rand v. Rowland*, 113 F.3d 1520, 1525 (9th Cir. 1997); *see also Lassiter v. Dep't of Social Services*, 452 U.S. 18, 25 (1981) (there is no constitutional right to counsel in a civil case). This denial is without prejudice to the court's *sua sponte* appointment of counsel at a future date should the circumstances of this case warrant such appointment.

1 Plaintiff's motion for an extension of time to file an opposition to defendants' motion for
2 summary judgment is **GRANTED**. Plaintiff shall file an opposition **no later than thirty days**
3 **(30) days** from the date this order is filed.

4 This order terminates docket nos. 44 and 45.

5 IT IS SO ORDERED.

6 DATED: 9/3/13



LUCY H. KOH
United States District Judge